

**SANTAMARIA AFFIDAVIT  
EXHIBIT K  
PLAINTIFF'S DEPOSITION  
PP 78-79**

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2 still some refunds going on.

3 Q Were there?

4 A Yes.

5 Q What happened as a result of him  
6 bringing it up again?

7 A I explained to him why we were  
8 doing it.

9 Q What was the result of that  
10 discussion, if any?

11 A I don't remember.

12 Q Other than the Safdieh accounts and  
13 the Solly accounts, were there other incidents  
14 with Paul Santamaria?

15 A Yes.

16 Q What was the next thing?

17 A There was an overdraft that I had  
18 paid on the basis that I thought it would be  
19 covered, and it was not, and we took a loss.

20 Q What account are we talking about  
21 here, if you recall?

22 A Afa Shah; A-F-A, S-H-A-H.

23 Q You said you paid an overdraft and  
24 then it was subsequently not covered?

25 A Yes.

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2 Q What was the issue with  
3 Mr. Santamaria other than the fact that the  
4 branch took a loss?

5 A He thought that, well, the branch  
6 took a loss, and he questioned why I would  
7 have paid it.

8 Q Under the circumstances, do you  
9 think that was a reasonable question as to why  
10 you paid it if there was subsequently a loss?

11 MS. GOODELL: Objection to the form  
12 of the question.

13 A Yes, I think it's a reasonable  
14 question.

15 Q What did you tell him?

16 A I explained to him that it was a  
17 New York lotto account, that one of their  
18 employees had robbed them, you know, taken  
19 them.

20 And before I paid it, the Afa Shah  
21 owner had shown me that New York lotto said he  
22 was reimbursed for those tickets and therefore  
23 that overdraft would be paid. And they had  
24 already been to the store that morning and had  
25 a signed piece of paper. I don't remember